

### REMARKS

Claims 1, 3-14, and 16-18 are in the present application. Claims 1, 4, and 14 are currently amended; claims 7, 10, 11, 16, and 18 were previously presented; claim 15 is canceled; and claims 2, 3, 5, 6, 8, 9, 12, 13, and 17 are unchanged from the original.

Applicants acknowledge with appreciation the Office's indication of allowable subject matter regarding claims 4 and 5. In accordance therewith, claim 4 is rewritten in independent form to incorporate aspects of the base and intervening claims. Claim 5 depends from claim 4.

Therefore, it is respectfully submitted that claims 4 and 5 are in a condition for allowance.

Claims 1, 6-11 and 14-18 were rejected under 35 USC 103(a) as being unpatentable over Itou '029 and Itou '185. This rejection is traversed.

Applicants arguments of record are incorporated herein.

The Office Action states that Itou '185 teaches a substantially similar assembly to that disclosed in Itou '029, in that a LED chip is deposited into a recess on the bottom of a unitary cup. The Office Action concludes that the cup of Itou '029 is *considered* unitary since the two halves thereof are mechanically joined in the fabrication process. Applicants disagree with the Office Action's arguments regarding the alleged unitary cup of Itou '029.

Furthermore, the assembly of Itou '185 and Itou '029 are not similar. In fact the assemblies are very different from each other. The LED of Itou '029 is a "lamp type" LED, having leads for projecting through a circuit board (See Figs. 1-

5) The Itou '185 LED is a "chip type" LED, having no leads for passing through a circuit board. Instead, Itou '185 is mounted on a circuit board, similar to a surface mount chip, and contacts electrical traces on the circuit board. Also, Itou '185 makes no disclosure of a cup being in two halves.

Thus, it is clear that the assemblies of Itou '029 and Itou '185 are quite different, despite the Office Action's characterization. Configuration considerations for each of the different "chip type" and "lamp type" LEDs are different and result in different type of assemblies. For example, the leads and traces of the two different types of LEDs are different, due in part to the mounting configuration of each.

The Office Action's combination of Itou '029 and Itou '185 appears to be impermissible given the very different types of LEDs disclosed by each. That is, it is not seen how the two cited and relied upon references can be combined, as cited and relied upon by the Office Action, to pick and choose one aspect (the unitary cup) from Itou '185 to combine with Itou '029, given the very different assemblies disclosed by each reference.

Furthermore, Applicants respectfully submit that the alleged combination of Itou '029 and Itou '185 do not disclose or suggest "a first connection part connected to at least the first and second electrical conducting traces, each of the first and second electrical conducting traces providing electrical connections to a different lead", as Applicants' claim 1 states. Nor does the alleged combination disclose or suggest "a process of assembling the secondary assembly together with other components to complete the light emitting diode, including assembling and electrically connecting the secondary assembly with a lead component, wherein the lead component is a projection on the other components", as claim 14 states. Claim 14 now incorporates aspects of now canceled claim 15.

Regarding claim 1, the alleged combination fails to disclose or suggest the claimed first connection part. Regarding claim 14, the alleged combination fails to disclose or suggest the claimed lead component on a projection. Thus, Applicants' respectfully request the allowance of claims 1 and 14.

Claims 3, 6-11 and 17 depend from claim 1. Claim 16 depends from claim 14. It is respectfully submitted that claims 3, 6-11, 17 and 14 are patentable for at least the same reasons discussed above regarding claims 1 and 14, respectively.

Regarding claim 18, it is respectfully submitted that claim 18 is patentable over Itou '185 and Itou' 029 for at least the reason discussed hereinabove regarding claim 1.

Therefore, Applicants respectfully submit that claims 1, 6-11, 14, and 16-18 are patentable under 35 USC 103(a) over Itou '029 and Itou '185.

Claims 2 and 3 were rejected by the Office Action under 35 USC 103(a) as being unpatentable over Itou '029 and Itou '185, as applied to claim 1, in further view of Antle. This rejection is traversed.

Inasmuch as the underlying basis of this rejection, Itou '029 and Itou '185, does not disclose or suggest that for which it is relied upon for disclosing or suggesting, Applicants respectfully submit that claims 2 and 3 are not disclosed or suggested by the alleged combination of 029, Itou '185, and Antle.

Claims 12 and 13 were rejected by the Office Action under 35 USC 103(a) as being unpatentable over Itou '029 and Itou '185, as applied to claim 1, in further view of Yamaguchi. This rejection is traversed.

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It is reiterated that the relied upon combination of Itou '029 and Itou '185 does not disclose or suggest Applicants' claimed LED. Therefore, even if the LED assembly of Itou '029 and Itou '185 were combined with Yamaguchi (not admitted by Applicants as being feasible, possible, or even suggested by the references), the resulting Itou '029/Itou '185/Yamaguchi device would not render Applicants' claims 12 and 13 obvious.

Accordingly, it is respectfully requested that the rejection of claims 12 and 13 be reconsidered and withdrawn, and claims 12 and 13 be allowed by the Office.

No new matter is added by the amendments to the application.

Respectfully Submitted,

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